

Memorandum



Date: June 20, 2005

To: Honorable Chairperson and Members
Planning Advisory Board

From: Pedro L. Velar
Assistant Director, Incorporation and Annexation Services
Office of Strategic Business Management

Subject: Background Information and Fiscal Impact
Miami Shores Village Proposed Annexation

BACKGROUND

On June 22, 2004 the Miami Shores Village Council, pursuant to Section 5.04 of the Miami-Dade Home Rule Charter and Section 20-3 of the Miami-Dade County Code of Ordinances, adopted Village Resolution 1077-04 requesting that the Miami-Dade County Board of County Commissioners approve the annexation of an area located to the west of the Village (shown in Attachments 1 and 2) into the boundaries of the Village. An annexation application was accepted by the Miami-Dade County Commission for review on October 19, 2004 and determined complete by the Office of Strategic Business Management, Incorporation and Annexation Division, on November 26, 2004. Consideration of the application was deferred at the March 23, 2005 meeting of the Boundaries Commission pending adoption by the Village of a resolution amending the above-referenced Resolution 1077-04 to reflect a revised legal description (shown as Attachment 3).

Pursuant to Section 20-6 of the Miami-Dade County Code, my office submits this report for your review and recommendation.

ANALYSIS

The proposed annexation area is bounded by NW 111 Street to the South, NW 115 Street to the North, NW 5 Avenue to the East, and Interstate 95 to the West. It is bordered by Miami Shores Village along its eastern boundary and by unincorporated Miami-Dade County along the remainder of its boundaries. The area is approximately 23.7 acres in size, of which approximately 9.5 acres are developed with residential uses and 8.9 acres are undeveloped. The remaining 5.3 acres are in transportation/roadway use.

According to the application, the proposed annexation will improve coordination of municipal services to Barry University, educational opportunities to annexation-area residents, and law enforcement, street maintenance, and general infrastructure within the proposed annexation area.

Facilities and Services

Police

Currently, direct police services such as patrol, initial response to calls, and general crime investigation are provided by the Miami-Dade Police Department's Intercoastal Station (Police District 6). The following table portrays calls for uniform and non-uniform units within Police Grid 0593, in which the proposed annexation area is located. The proposed annexation area comprises ten percent of this grid.

Calls for Service & Response Times – Grid 0593					
Calendar Year	Criteria	All Calls	Emergency Calls (Code 3)	Priority Calls (Code 2)	Routine Calls
2001	Total Calls	2,772	98	213	2,461
	Average Response	15:30	03:59	04:05	16:57
2002	Total Calls	2,502	103	147	2,252
	Average Response	16:08	04:15	04:19	17:26
2003	Total Calls	2,439	112	173	2,154
	Average Response	17:32	06:01	04:43	19:10

According to the application, Miami Shores Village will provide improved patrol frequency and response time to the proposed annexation area. The application states that the Miami Shores Village police station is located approximately 3 minutes from the annexation area, that the Village currently provides 15 sworn officers per square mile and 3.4 sworn officers per 1,000 population, and that the Village's mean emergency response time is 2 minutes.

In the event that the annexation is successful, the total service area within UMSA will be reduced. Conversely, departmental resources would then be reallocated from the annexed area to the remaining portions of UMSA. As a result of this reallocation, response times within UMSA would be reduced accordingly. However, due to continual incorporation and annexation endeavors, the full impact upon UMSA is yet to be determined.

Fire and Rescue

Fire protection and emergency medical services will continue to be provided by Miami-Dade County. Specifically, the Miami-Dade Fire Rescue Department (MDFR)'s Station 30, located at 9500 NE 2 Avenue in Miami Shores, will be the primary service provider for the proposed annexation area. This Station is equipped with an Engine and a Rescue vehicle and staffed by seven Fire Fighters. Station 19, located at 650 NW 131 Street and equipped with a Rescue vehicle and a 50' Squirt Advanced Life Support Unit, provides additional service to the area.

Unit response time to the annexation area from both stations is approximately six minutes. Service in this area is adequate and the proposed annexation will not impact MDFR's ability to provide service, as long as the Village remains within the Miami Dade Fire Rescue Service District. However, modification of housing stock within the annexation area by the Village of Miami Shores would have an impact on MDFR's service delivery.

MDFR Service to Proposed Annexation Area – Fiscal Years 1999 through 2003					
Calls for Service & Average Travel Times					
	1999	2000	2001	2002	2003
Number of Calls FY 1999-2003	61	63	58	61	58
Life Threatening Emergencies	26	25	23	28	26
Non Life Threatening Emergencies	17	20	18	15	17
Other Fire	7	9	10	4	7
Other Miscellaneous	10	9	6	12	8
Structure Fire	1	0	1	2	0
Average Unit Travel Time FY1999-2003	05:54	05:57	05:52	05:46	05:51
Life Threatening Emergencies	05:19	04:45	05:01	05:12	05:04
Non Life Threatening Emergencies	05:49	06:05	06:51	06:29	05:47
Other Fire	04:06	04:43	04:36	05:55	05:08
Other Miscellaneous	06:28	05:52	05:56	05:49	05:31
Structure Fire	02:24		03:18	03:02	

Water and Sewer

The proposed annexation area is within the water and sewer service areas of the Miami-Dade Water and Sewer Department (WASD) and service is being provided to portions of the area. Future water and sewer service customers within the annexation area would receive service from WASD. WASD would own, operate and maintain any future facilities, whether constructed by the Village or by private developers. Adequacy and capacity of the County's water and sewer systems are dependent upon the type and timing of the developments or redevelopments proposed to occur within the Village. The annexation would have no impact on WASD's ability to provide services to the remaining unincorporated area in the vicinity.

Solid Waste

The proposed annexation area is within the Miami-Dade County Department of Solid Waste Management (DSWM)'s waste collection service area. The County provides twice weekly garbage collection and weekly trash and recycling services, along with two annual scheduled bulky waste pick-ups.

The annexation application states that the Village will provide twice-weekly residential garbage collection, regularly-scheduled bulk waste pick-up, and weekly recycling services for the proposed annexation area. In accord with Ordinance No. 96-30, since the Village has entered into the standard twenty-year interlocal agreement with the County for waste disposal, the County may consider delegation of residential waste collection service to the City. Provided DSWM determines that the cumulative impacts of this delegation, and those that have taken place since February 16, 1996, do not significantly impact its ability to meet debt service coverage requirements or to hold down the cost of collection, the delegation will be granted. In either scenario, the waste collected from the annexation area will be delivered to a County waste system facility for disposal. Based on

the requirements of Ordinance 96-30, the annexation is not expected to have any impacts on the ability of DSWM to provide services to the remaining unincorporated area.

Environmental Resources Management

Services provided by the Department of Environmental Resources Management (DERM) to the subject area include, but are not limited to:

I. Review and approval or disapproval of development orders, including:

- Building Permits
- Zoning Actions
- Platting Actions (Land Subdivision)
- Building Occupancies (Residential and Nonresidential)
- Municipal Occupational Licenses

The department reviews applications for consistency with the requirements of Chapter 24. The review includes, but is not limited to, the following:

- Protection of public potable water supply wellfields
- Potable water supply
- Liquid waste disposal
- Stormwater management and disposal
- Tree resources preservation and protection
- Wetland preservation and protection
- Coastal resources preservation and protection
- Air quality requirements
- Flood protection

II. Operating Permits. Section 24-35 of the Miami-Dade County Code authorizes DERM to require permits for any facility that could be a source of pollution. This includes a wide variety of nonresidential activities or facilities and some ancillary operations to residential land uses.

III. Pollution Prevention and Educational Programs. The DERM Office of Sustainable Environment and Education is responsible for promoting and coordinating pollution prevention programs, waste minimization programs, urban CO2 reduction, and environmental education in general.

IV. Enforcement Activities. These include regular inspections of permitted facilities as well as of any potential source of pollution, responses to complaints and general enforcement operations.

Inasmuch as DERM's regulatory activities are enforceable under County Code in both the incorporated and unincorporated area, the Department currently provides the above services to the subject area. Accordingly, annexation of the parcels in question will not affect the Department's ability to provide adequate levels of service.

The ability of DERM to provide adequate services to the area being annexed will not be impaired in any manner by this action nor to the areas adjacent to the parcels being annexed.

Water Treatment Plant Capacity. The area proposed to be annexed is presently within WASD's water and sewer franchised service area. Currently, the area is served by WASD's Hialeah-Preston Water Treatment Plant, which has no restrictions on capacity.

Wastewater Treatment Plant Capacity. The area proposed to be annexed is presently within WASD's water and sewer franchised service area. Currently, the area is served by WASD's interconnected wastewater facilities system, which presently has no restrictions on capacity.

Stormwater Utility (SWU) Program and Fees. At the time of annexation, any improved real estate in the proposed annexation area will be paying a stormwater utility fee to Miami-Dade County. This fee is used to administer stormwater management programs throughout the County. It is expected that these accounts would revert to Miami Shores once the annexation occurs. There will need to be a "transition" mechanism where the County can manage Stormwater Utility accounts in the annexed area until Miami Shores can assume the extra accounts. This can be accomplished through an Interlocal Agreement. Please also note that until the Miami-Dade County Board of County Commissioners approves the annexation, all SWU fees collected in the area of the annexation to that point are still available for general County use. If stormwater utility accounts in the annexed area are billed through WASD, it will be up to the Village to negotiate with WASD to continue this arrangement.

Canal Maintenance Agreement. A check of the County's Water Control Plan reveals no secondary canals within the proposed annexation area. A cost-share for Federal Emergency Management Agency (FEMA) funded projects may also be necessary, if such projects are under construction, have been constructed or are planned for the proposed annexation area.

Drainage Permitting. All new development requires that drainage systems be provided as part of the project. The objective of these systems is to reduce pollution in stormwater runoff, and reduce flooding impacts to residents. DERM has received delegated authority to issue permits for the South Florida Water Management District, through issuance of the Environmental Resources Permit (ERP). Jurisdiction to require an ERP is countywide, and is dependent upon the size of the development. Authority and attendant permits to allow construction of an overflow outfall to a body of water is also countywide, as is performing drainage works in County rights-of-way. The above requirements and authority would exist in the proposed area the same as it currently does in the Shores.

National Flood Insurance Program (NFIP). The NFIP is a program where FEMA agrees to subsidize flood insurance policies for residents of a community, if the community agrees to enforce minimum flood protection standards. In 1993 FEMA mandated that all incorporated areas in Miami-Dade County regulate their own floodplain management ordinance and conduct separate programs. Therefore, when a city is incorporated, FEMA requires that city to apply to become an NFIP community within six months of incorporation. The Village of Miami Shores would need to report a

new annexed area as changed incorporated boundaries to FEMA as part of its FEMA biennial report.

Stormwater Management Master Plan. Miami-Dade County is undertaking a comprehensive effort to map the entire unincorporated area of the County to assess its drainage needs. The County is divided into drainage basins, which are then modeled to determine what drainage is needed for each area now and in the future. By planning for future drainage needs, the County can ensure that the level of flood protection service provided to residents is maintained. Although the County cannot model incorporated areas, in certain areas, County roads lie within incorporated boundaries. In these areas the County will model the basins where these roads lie, using the best available data that can be found. Because of the lack of data in these areas, the modeling for these County roads will be limited. County engineers will ask Miami Shores staff if they have any data that would help in modeling these areas. Cooperation between the Village and the County to share this data is critical. The data and models created have other uses besides the County's master plan, such as new Flood Insurance Rate Maps (FIRM), that benefit Village as well as County residents.

National Pollutant Discharge Elimination System (NPDES). NPDES is a nationwide permit program that has an objective of controlling pollution that is inherent in stormwater runoff. NPDES started as a federal program, and has now been delegated to the State of Florida. Cities must apply to and receive from the state a permit that outlines best management programs designed to reduce the pollution in stormwater runoff. These stormwater management programs can consist of sampling programs, educational programs, street sweeping and drainage maintenance, and various other best management programs. In Miami-Dade County's NPDES permit, a joint permit was created with 24 municipalities and Miami-Dade as the lead agency. Because sampling of stormwater runoff is required, the County performs the sampling, and all the parties to the permit share the associated costs. Permit records reveal the Village of Miami Shores is a participant in the County's joint permit. Therefore, any outfalls contained within the annexed area would change the Village's cost-share percentage contribution. There is also a permit fee the Village pays yearly to the state for the NPDES permit. The amount of this permit fee will increase if the annexation occurs.

Transfer of Local Roads. Certain County roads located within the proposed annexation may need to be transferred to the Shores. This can be done with an interlocal agreement. This agreement would outline the subject roads, various road-related services, and the costs and responsibilities of the Village and County for these services. Because County Stormwater Utility funds are used to maintain rights-of-way and drainage systems in the County rights-of-way and roads, as well as canal maintenance activities, when transferring those roads the Water Management Division would be the lead agency to execute said agreements.

Hazardous and Solid Waste Comments. A review of the DERM database was conducted to identify permitted sites, solid waste sites, and sites with records of current contamination issues within the proposed annexation area; no such sites were identified.

Forest Resources. Section 24-60 of the County Code requires the preservation of tree resources. DERM will retain tree preservation jurisdiction unless Miami Shores has enacted or enacts an ordinance that would provide equal or greater preservation provisions than those afforded by the above noted Code Section to the existing tree resources in the proposed annexation area.

Wetland Permitting Comments. The proposed annexation area does not contain jurisdictional freshwater wetlands as defined by Chapter 24-3 of the County Code. Therefore, Miami-Dade County will not require a Class IV Permit for work in this site. Additionally, permits from the Army

Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District (1-800-432-2045) may be required for work on these lands.

Public Works

The application states that the Miami Shores Village Public Works Department would assume responsibility for maintenance of streets designated as "local" within the proposed annexation area. The area includes 2.29 lane miles (1.22 centerline miles) of local roads, no County- or State-maintained roads, no County-maintained canals, and no County road, bridge, or canal maintenance facilities.

The proposed annexation area lies within the Northwest Shores Street Lighting Special Taxing District. According to the application, the existing street lighting in the annexation area is similar to that of the Village, both systems are owned and maintained by the Florida Power and Light Company. The District would effect transfer from its FP&L account to the Village's FP&L account of all street lights within the proposed annexation area, and suspend all District special assessment within the proposed annexation area. Amendment to the Street Lighting District would not be required should the annexation occur. However, approval of this application should be subject to execution of an interlocal agreement between Miami-Dade County and the Village of Miami Shores including the following provisions: (1) the Village accepts the transfer of the existing FP&L leased streetlights within the annexed area from the District, (2) the Village would provide street lighting services within the annexed area of the District, and (3) the County would suspend all District special assessment within the annexed area.

Parks and Recreation

There are no parks located within the proposed annexation area. According to the application, Miami Shores Village has sufficient park and recreation facilities to accommodate the residents of the annexation area, including a Recreational Complex (consisting of a community center, field house, basketball and tennis courts, and tot lot), aquatic center, and four neighborhood parks.

Annexation Guidelines

The following analysis addresses the factors required for Planning Advisory Board consideration pursuant to Section 20-6 of the County Code. Will the annexation:

1. Divide a historically recognized community?

The proposed annexation area does not divide a Census Designated Place (an officially or historically recognized traditional community).

2. Result in an annexation area that is compatible with existing planned land uses and zoning of the municipality to which the area is proposed to be annexed?

The annexation application states that the Village will adhere to County planned land uses and existing zoning for the proposed annexation area, and will amend its Comprehensive Plan and Zoning Code to permit uses for which these regulations currently do not provide. Such adherence to current land use parameters would be

consistent with the goals, objectives, policies, and Land Use Plan Map of the County's Comprehensive Development Master Plan.

The future land use designations within the proposed annexation area are *Low Density Residential* and *Low-Medium Density Residential*. A brief description of these CDMP land uses follows:

The *Low Density Residential* land use designation allows residential uses at a density range of 2.5 to 6.0 dwelling units per gross acre. The *Low-Medium Density Residential* land use designation allows residential uses at a density of up to 13 dwelling units per gross acre.

The existing land uses in the area are single-family residential, two-family duplex, roadway, utility, and vacant land. The existing underlying zoning is a combination of *RU-1 Single-Family Residential*, *RU-2 Two-Family Residential*, and *BU-3 Business Liberal-Wholesale*. The single-family residential, roadways, utilities, and the vacant land under institutional ownership are consistent with the current land uses and zoning within the Village. However, the Village does not have a land use designation and a zoning category that would allow two-family duplexes. The Planning and Zoning Department recommends that the proposed annexation be approved subject to an interlocal agreement with the Village assuring that the Village will: (a) file a comprehensive plan amendment to allow two-family residential/duplex use, and (b) amend its land development (zoning) regulations to allow two-family residential/duplex use.

3. Preserve, if currently qualified, eligibility for any benefits derived from inclusion in federal or state enterprise zones, or targeted area assistance provided by federal, state and local government agencies?

The annexation will impact the West Little River Neighborhood Revitalization Strategy Area, specifically Census Tract 11.02, Block Group 4. The proposal will include only a portion of the eligible block group. The Miami-Dade County Office of Community and Economic Development prefers that block groups not be split, as this makes it more difficult to complete demographic analysis. The eligible block group extends from the southern most boundary of NE 103 Street to the northern most boundary of NE 115 Street. This will have a small impact on the CDBG entitlement for Miami-Dade County. Although this is an eligible block group, the population is less than fifty thousand so it is not eligible to be a US HUD entitlement city. The Village can still participate in the County's "participating municipality" program.

4. Impact public safety response times?

Police: In the event that the annexation is successful, the total service area within UMSA will be reduced. Conversely, departmental resources would then be reallocated from the annexed area to the remaining portions of UMSA. As a result of this reallocation, response times within UMSA would be reduced accordingly. However, due to continual incorporation and annexation endeavors, the full impact upon UMSA is yet to be determined.

Fire and Rescue: Fire protection and emergency medical services will continue to be provided by Miami-Dade County. Service in this area is adequate and the proposed

annexation will not impact MDFR's ability to provide service, as long as the Village remains within the Miami Dade Fire Rescue service District. However, modification of housing stock within the annexation area by the Village of Miami Shores would have an impact on MDFR's service delivery.

5. Introduce barriers to municipal traffic circulation due to existing security taxing districts, walled communities, and/or private roads?

No, the annexation area contains no such barriers.

6. Result, to the degree possible, in an annexation area served by the same public service franchises, such as cable and communication services, as the existing municipality, or with full access to all available municipal programming through its franchise provider(s)?

The proposed Miami Shores annexation area will continue to be served by the same cable television and telecommunication operators as before. The proposed annexation will not have an impact on the ability of the Miami-Dade County Consumer Services Department (CSD) to license and enforce County cable TV regulations.

Currently, the Miami Shores annexation area is receiving cable services from Comcast Cable Communications, Inc. There will be no changes in cable services for the proposed annexed area. BellSouth Entertainment has a cable television license for all unincorporated areas, but CSD's records indicate that they are not currently serving this area.

Telecommunications Service Providers are required to register with the County only if they have facilities located within the unincorporated areas. The purpose of the registration process is to determine users of the County's rights-of-way. Therefore, companies that have facilities within the proposed Miami Shores annexation area will no longer be required to register with the County. Municipalities requesting annexation will be responsible for managing their public thoroughfares.

Municipal programming is accomplished through separate agreements between municipalities and the cable operators providing services within their respective municipality. The cable operator's obligation to broadcast municipal meetings is outlined in these agreements. Technically, cable operators have the ability to add municipal programming to the proposed annexed areas if required.

7. Result, if the area has been identified by the federal government as a flood zone or by emergency planners as an evacuation zone, in an annexation area for which the annexing municipality has indicated its preparedness to address any extraordinary needs that may arise?

The entire proposed annexation area is located outside the federally designated, 100-year floodplain. Also, the proposed annexation area is not located within any County designated hurricane evacuation zone and residents of the area are not obligated to evacuate when hurricane warnings are issued.

8. Result in an annexation area connected to municipal government offices and commercial centers by public transportation?

Currently there is no transit service to the proposed annexation area. The closest existing Metrobus service includes Route 75 (east-west) at NW 119 Street and Route 2 (north-south) on North Miami Avenue. Route 95X also provides service on I-95; however, this is closed-door service connecting Downtown Miami and Golden Glades. No future plans exist to add service to the area.

9. Result, to the degree possible, in an annexation area contained in one or more school district boundaries governing admission to elementary, middle and high schools as the adjoining municipal area?

Yes, the area is contained within the same school district boundaries as the adjoining unincorporated area and municipalities. The schools are Hubert O. Sibley Elementary, Thomas Jefferson Middle, and North Miami Senior High.

The following analysis addresses the factors required for Planning Advisory Board and Board of County Commissioners consideration pursuant to Section 20-7 of the County Code:

1. The suitability of the proposed boundaries, in conjunction with the existing municipality, to provide for a municipal community of interest that is both cohesive and inclusive. The proposed annexation area should:
 - A. Not divide a U.S. Census Designated Place, to the extent feasible. The proposed annexation area does not divide a Census Designated Place.
 - B. Include adjacent areas of ethnic minority and lower income residents in which a majority of those residents have so petitioned. No adjacent unincorporated areas have a majority of ethnic minority or lower income residents that have petitioned to be in the annexation area.
 - C. Have contiguity and not create any unincorporated enclave area(s). An unincorporated enclave area is defined as an area that would be surrounded on more than 80 percent of its boundary by one or more municipalities and of a size that could not be serviced efficiently or effectively. The proposed annexation area is contiguous to the Village of Miami Shores and would not create an unincorporated enclave unless the area currently recommended for incorporation by the North Dade Municipal Advisory Committee should become a municipality prior to approval of the proposed annexation.
 - D. Have natural or built barriers as boundaries, to the extent feasible. The proposed annexation area, which totals approximately 24 acres, is bounded on the north by NW 115th Street (minor road), on the east by NW 5th Avenue (minor road), on the south by NW 111th Street (minor road), and on the west by the Interstate 95 Expressway (major arterial). All boundaries are logical.
2. The existing and proposed projected property tax cost for the municipal-level services to average homeowners in the area currently unincorporated and as included as part of the annexing municipality.

The existing property tax cost for municipal services to the average property owner in the proposed annexation area is \$38.45, while the projected property tax cost after annexation is \$108.14. This represents a projected increase of \$69.70. These figures were calculated as follows:

Existing and Projected Property Tax Cost	
Village of Miami Shores	
Per Capita Taxable Value	\$13,108
Library Millage	included in municipal millage
Municipal Millage	8.25
Total Millage	8.25
Property Tax Amount	\$108.14
Unincorporated Miami-Dade County	
Per Capita Taxable Value	\$13,108
Library District Millage	0.486
UMSA Millage	2.447
Total Millage	2.933
Property Tax Amount	\$38.45
Increase to Annexation Area	\$69.70

- The proposed annexation area is totally contained within the Urban Development Boundary depicted on the Future Land Use Plan map of the Miami-Dade County Comprehensive Development Master Plan.

The entire annexation area is located inside the 2005 Urban Development Boundary of the County's Comprehensive Development Master Plan (CDMP). The County's Land Use Policy 2B states that "priority in the provision of services and facilities and the allocation of financial resources for services and facilities in Miami-Dade County shall be given first to serve the area within the Urban Development Boundary (UDB) of the 2005-2015 Land Use Plan Map (LUP)."

- The impact of the proposal on the revenue base of the unincorporated area, and on the ability of the County to efficiently and effectively provide services to adjacent remaining unincorporated areas.

The total taxable value of the annexation area is \$4,155,208. The area generates approximately \$55,000 in UMSA revenues, of which the County would retain approximately \$18,000 if the annexation is completed. The County spends approximately \$69,000 per year providing services to the area. Therefore, the net revenue gain to UMSA is approximately \$32,000. The UMSA revenues and expenses are derived using various factors such as taxable values, population, number of police calls for service, cost per lane mile, and number of lane miles in the proposed annexation area. These factors are used in conjunction with formulas to calculate average revenue and expense figures for the area. (See Impact to UMSA Worksheet at Attachment 4.)

Sections 20-8.1 and 20-8.2 of the County Code allow the County to retain all franchise fees for the term of the current franchise agreement, and utility tax revenues in perpetuity, for the annexation area. For the proposed annexation area, franchise fees totaling approximately \$6,000 and utility taxes of approximately \$12,000 will be retained by Miami-Dade County.

5. The financial impacts of the proposed annexation on the remaining unincorporated areas of Miami-Dade County. Specifically, does the per capita taxable property value of the area fall within the range of \$20,000 to \$48,000?

The per capita taxable value of the area, at \$13,108, does not fall within the range of \$20,000 to \$48,000.

Additional Information for Consideration

Consideration of this application was deferred at the March 23, 2005 meeting of the Boundaries Commission pending adoption by the Village of a resolution approving a revised legal description. Resolution 1094-05, adopted by the Village on April 5, 2005 (and shown as Attachment 3), amends Resolution 1077-04, which initiated this application.

The proposed annexation area lies within the Northwest Shores Street Lighting Special Taxing District. According to the application, the existing street lighting in the annexation area is similar to that of the Village; both systems are owned and maintained by the Florida Power and Light Company. The District would effect transfer from its FP&L account to the Village's FP&L account of all street lights within the proposed annexation area, and suspend all District special assessment within the proposed annexation area. An interlocal agreement between Miami-Dade County and the Village of Miami Shores would include the following provisions: (a) the Village accepts the transfer of the existing FP&L leased streetlights within the annexed area from the District, (b) the Village would provide street lighting services within the annexed area of the District, and (c) the County would suspend all District special assessment within the annexed area. Amendment to the Street Lighting District would not be required.

It is requested that the Planning Advisory Board take one of the following actions:

1. Approve the proposed boundary change,
2. Approve the proposed boundary change on a modified basis,
3. Defer the proposed boundary change for more information,
4. Defer the proposed boundary change to permit modification, or
5. Deny the proposed boundary change.

Attachment 1: Map of Proposed Annexation Area

Attachment 2: Map of Vicinity of Proposed Annexation Area

Attachment 3: Village Resolution 1094-05 with Revised Legal Description

Attachment 4: Impact to UMSA Worksheet

c: Joseph A. Ruiz, Assistant County Manager

Jennifer Glazer-Moon, Director, Office of Strategic Business Management

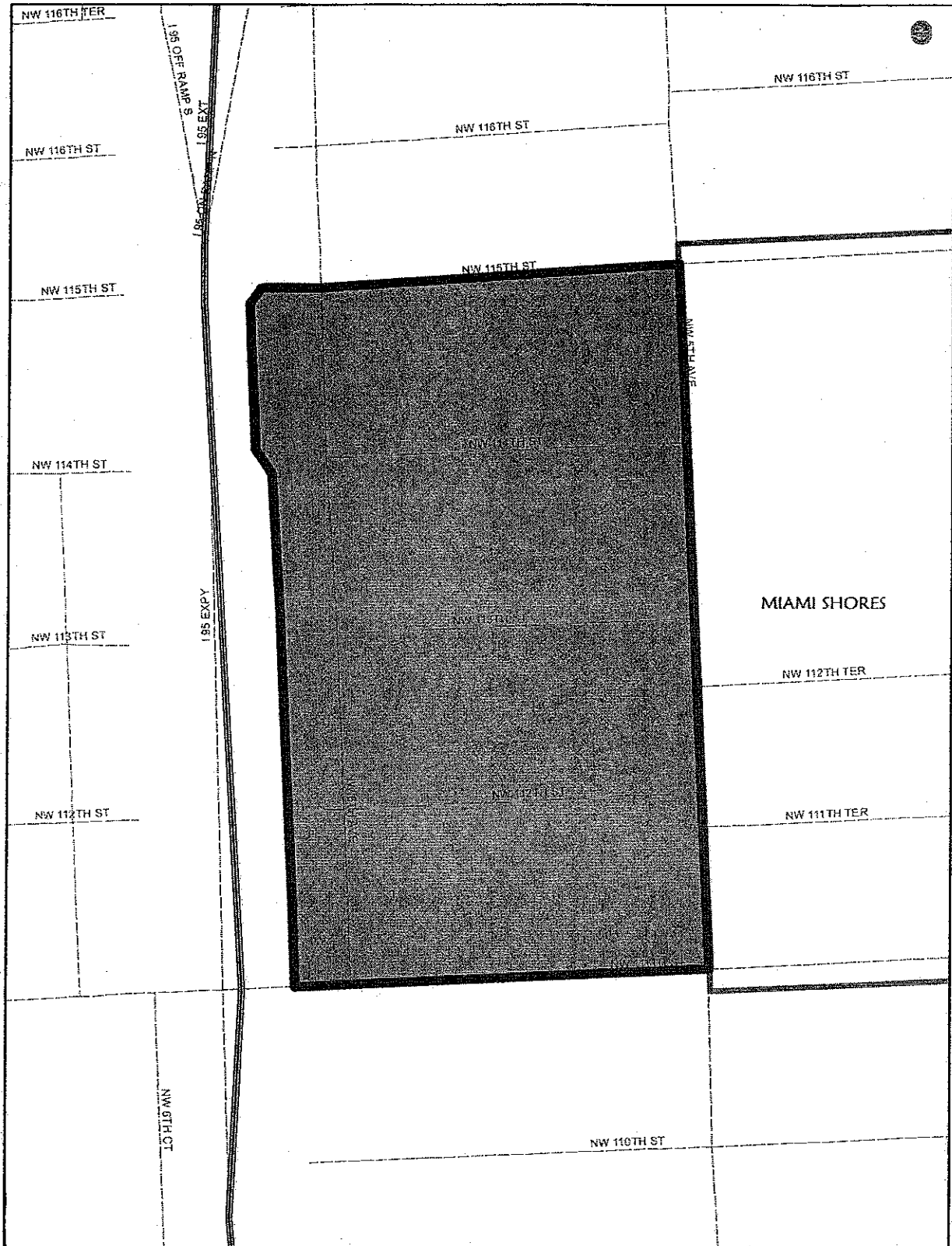
Attachment 1:

Map of Proposed Annexation Area

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Miami Shores Proposed Annexation



0.02 0.01 0 0.02 Miles

miamidade.gov



Current Municipality
Proposed Annexation

Legend



Street

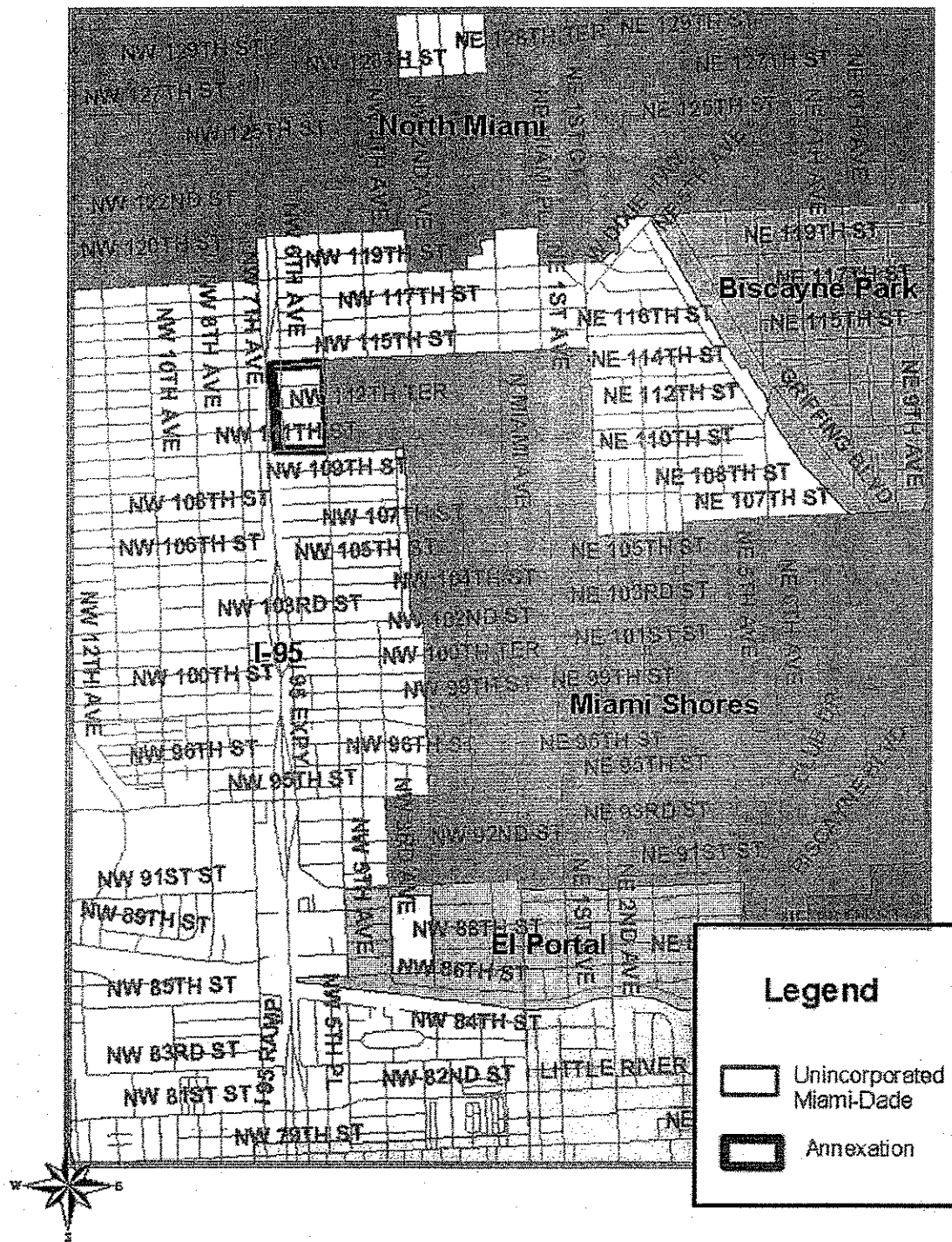
This map was prepared by the Miami Dade County
Enterprise Information Services Department
Strategic Technologies Division
October 29, 2004
For the Office of Strategic Business Management
Incorporation and Annexations
And Municipal Contracting Services



Attachment 2:

Map of Vicinity of Proposed Annexation Area

Vicinity of the Miami Shores' Proposed Annexation Area



Attachment 3:

Village Resolution 1094-05 with Revised Legal Description

RESOLUTION NO. 1094-05

A RESOLUTION OF THE MIAMI SHORES VILLAGE COUNCIL,
AMENDING RESOLUTION NUMBER 1077-04 ADOPTED JUNE 22, 2004,
APPROVING THE INITIATION OF A PROPOSED MUNICIPAL
BOUNDARY CHANGE PURSUANT TO SECTION 20-3, MIAMI-DADE
COUNTY CODE OF ORDINANCES SO AS TO INCLUDE DE-ANNEXATION
WHERE APPROPRIATE.

WHEREAS, the Miami Shores Village Council, at its regular meeting of June 22, 2004 adopted Resolution number 1077-04 (see Exhibit "A"), formally requesting the Board of County Commissioners to modify the Village Boundary by annexing an area of Unincorporated Miami-Dade County; and

WHEREAS, the Miami Shores Village Council reaffirms its request to have the Board of County Commissioners modify the Village Boundary by annexing an area of Unincorporated Miami-Dade County as described in Exhibit "B" attached; and,

WHEREAS, during preliminary discussions with County staff it was discovered that the actual Village boundaries as defined in the Charter's legal description differed from boundaries thought to be accurate; and

WHEREAS, in order to more accurately reflect the historical service and maintenance responsibilities provided by Miami Shores Village, the Village is proposing to de-annex the property described in Exhibit "C" attached;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF MIAMI SHORES VILLAGE,
FLORIDA:

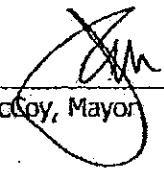
Section 1. That Resolution Number 1077-04 be amended so as to indicate both that the Village Council formally requests the Board of County Commissioners to modify the Village boundaries as described in Exhibit "B" be annexed and as described in Exhibit "C" be de-annexed, all pursuant to Section 20-3, Miami-Dade County Code.

Section 2. This resolution, upon its adoption by the Miami Shores Village Council, shall become effective nunc pro tunc as of June 22, 2004.

PASSED AND ADOPTED THIS 5th day of April, 2005.

ATTEST:


Barbara A. Estep, CMC
Village Clerk


Jim McCoy, Mayor

APPROVED AS TO FORM:

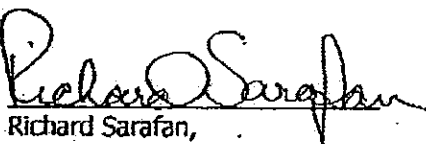

Richard Sarafan,
Village Attorney

EXHIBIT "A"

RESOLUTION NO. 1077-04

A RESOLUTION OF THE MIAMI SHORES VILLAGE COUNCIL,
APPROVING THE INITIATION OF A PROPOSED MUNICIPAL
BOUNDARY CHANGE PURSUANT TO SECTION 20-3, MIAMI-DADE
COUNTY CODE OF ORDINANCES.

WHEREAS, the Miami Shores Village Council directed the Village Manger to evaluate the feasibility of annexing a small area of Unincorporated Miami-Dade County, described as: Seventh Avenue Subdivision (Plat Book 19, Page 79), Lots 1-38 of Block 1, Lots 1-8 of Block 2 and Lots 32-38 of Block 2, as well as in the West Shores Subdivision (Plat Book 42, Page 18), Lots 1-20 of Block 6, Lots 10-15 of Block 1, Lots 10-15 of Block 2, Lots 1-20 of Block 5, Lots 1-20 of Block 4, and Lots 10-15 of Block 3; the street boundaries of which are the north side of NW 111th Street north to the south side of NW 115th Street from NW 5th Avenue west to Interstate 95 (exclusive of the Department of Transportation's right-of-way), all situated to the northwest of the current Village boundaries; and,

WHEREAS, the Miami Shores Village Council, at its regular meeting of April 6, 2004, directed the Village Manager to proceed with an annexation application by giving written notice to property owners within the proposed area to be annexed and within 600 feet of the boundaries of the proposed area to be annexed, according to the current tax assessment roll, prior to the public hearing on Tuesday, June 22, 2004, where a resolution to initiate the municipal boundary change would be considered by the Village Council, in accordance with Section 20-3, Miami-Dade County Code; and,

WHEREAS, Miami Shores has noticed the public hearing to initiate the municipal boundary change in a newspaper in Miami-Dade County at least five (5) days before the public hearing; and

WHEREAS, information regarding this proposed municipal boundary change is available at Village Hall for public inspection, including a map of the area; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA:

Section 1. The statements made above are correct and are part of this resolution.

Section 2. The Village Council, through this resolution, formally requests the Board of County Commissioners to modify the Village boundary to include the area to be annexed as referenced above, pursuant to Section 20-3, Miami-Dade County Code.

Section 3. The Village Manager shall complete all documents and maps required by Section 20-3, Miami-Dade County Code, and respond to any questions posed by the Staff or Administration of Miami-Dade County concerning this resolution and the annexation application.

Section 4. The Village Clerk shall distribute certified copies of this resolution and the annexation application to the Clerk of the County Commission in accordance with Section 20-3, Miami-Dade County Code.

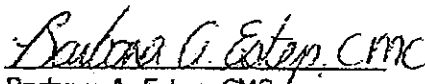
Section 5. This resolution shall become effective upon its adoption by the Miami Shores Village Council.

PASSED AND ADOPTED THIS 22nd day of June, 2004.



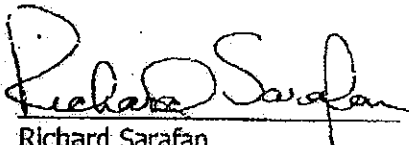
Jim McCoy, Mayor

ATTEST:



Barbara A. Estep, CMC
Village Clerk

APPROVED AS TO FORM:



Richard Sarafan,
Village Attorney

EXHIBIT "B"

That portion of Miami Dade County, Florida, in Section 36, Township 52 South, Range 41 East, bounded on the north by the center line of NW 115th Street, bounded on the South by the center line of NW 111th Street, bounded on the West by the easterly Limited Access right-of-way line of Interstate 95, and bounded on the East by the existing boundary of Miami Shores Village along the centerline of NW 5th Avenue.

EXHIBIT "C"

A portion of NW and NE 115th Street, right-of-way, located in Section 36, Township 52 South, Range 41 East of Miami Dade County, Florida, more particularly described as follows:

Bounded on the north by the northerly right-of-way line of NW and NE 115th Street; bounded on the south by the centerline of NW and NE 115th Street (said centerline of NW and NE 115th Street being the north line of the south $\frac{1}{2}$ of the north $\frac{1}{2}$ of the east $\frac{3}{4}$ of said Section 36 and the easterly extension thereof), bounded on the west by the centerline of NW 5th Avenue. Bounded on the east by the east right-of-way line of NE 2nd Avenue.

A portion of NW 111th Street right-of-way, located in Section 36, Township 52 South, Range 41 East of Miami Dade County, Florida and more particularly described as follows:

Bounded on the north by the centerline of NW 111th Street, bounded on the south by the southerly right-of-way line of NW 111th Street, bounded on the west by the centerline of NW 5th Avenue, bounded on the east by the northerly projection of the west property line of lot 24 of the plat of Shoreland Heights as recorded in Plat Book 43 at Page 85 of the Public Records of Miami-Dade County, Florida.

A portion of NE 2nd Avenue right-of-way, located in Section 31, Township 52 South, Range 42 East of Miami Dade County, Florida and more particularly described as follows:

Bounded on the north by the northerly right-of-way line of NE 115th Street, bounded on the south by the centerline of NE 107th Street; bounded on the west by the centerline of NE 2nd Avenue, bounded on the east by the east, right-of-way line of NE 2nd Avenue.

Attachment 4:

Impact to UMSA Worksheet

**Miami Shores Annexation
Estimated Impact on UMSA Budget**

Attachment 4

Based on FY 04-05 Budget		Assumptions	
2004 Taxable Property Rolls			\$4,155,208
2000 Census Population			317
2004-05 UMSA Millage			2.447
Police Calls for Service for 2003			243
Cost per Police Call			\$231
Cost per Lane Mile			\$1,123
Number of Lane Miles			2.29
Per Capita Taxable Value			\$13,108
Gross Revenue Loss to UMSA			
Property Tax Revenue	<i>Allocation based on tax roll & millage</i>		\$10,000
Franchise Fees *	<i>Allocation based on tax roll/population</i>		
Sales Tax	<i>Allocation based on \$55.37 per person</i>		\$18,000
Utility Taxes *	<i>Allocation based on tax roll/population</i>		
Communications Tax	<i>Allocated based on tax roll/population</i>		\$8,000
Alcoholic Beverage License	<i>Allocation based on \$0.26 per person</i>		\$0
Occupational License	<i>Allocation based on \$3.67 per person</i>		\$1,000
Interest	<i>Allocation based on .33% of all revenues</i>		\$0
Miscellaneous Revenues	<i>Allocation based on \$0.58 per person</i>		\$0
Gross Revenue Loss to UMSA			\$37,000
Cost of Providing UMSA Services			
Police Department	<i>Based on police calls</i>		
Local Patrol			\$44,282
Specialized & Other			\$11,771
Parks and Recreation Department	<i>Based on cost of parks</i>		\$0
Public Works Department	<i>Based on lane miles (x cost/lane mile)</i>		\$2,572
Planning, Team Metro and others	<i>Direct cost times 10.5%</i>		\$6,156
Policy Formulation/Internal Support	<i>Direct cost times 7.2%</i>		\$4,221
Cost of Providing UMSA Services			\$69,001
Net Budget Loss to UMSA			(\$32,001)
Assumptions:			
1. Does not include gas tax funded projects			
2. Does not include canal maintenance revenues or expenses			
3. Does not include proprietary activities: Building, Zoning, Solid Waste			
4. Does not include Fire and Library Districts			
5. Revenues are based on allocations not actuals			
* Franchise fees and utility taxes are retained by Miami-Dade County:			
	<i>Franchise Fees</i>		\$6,000
	<i>Utility Taxes</i>		\$12,000